

Justice for the Coutts Four!

Rod Taylor

Leader, CHP Canada

“Just the facts, Ma’am.” That’s the gist of what law enforcement and the justice system used to call for. The iconic symbol of Blind Justice¹ is a way of visualizing that true justice is not motivated by personal feelings or preconceived notions of guilt or innocence. A proper judgment of a case should depend only on verifiable facts and the clear reading of the law. Canada—according to the Charter of Rights and Freedoms—is founded on principles that recognize the “supremacy of God and the rule of law.” Both of those foundational premises are under attack today. Neither the leaders of the ruling party, nor the judges they have appointed seem to give God a second thought when writing legislation or applying existing law to cases that come before them.

Neither do they consistently apply the rule of law to their judgments. What does the rule of law mean? It means that the written law stands on its own, is applied equally to all Canadians without preference for one or special privilege for another. Not only the butcher, the baker and the candlestick maker . . . but also the King, the Prime Minister and the Governor General are all subject to the same laws.

In Alberta today, the rule of law has been completely ignored in the despicable treatment of four men. The “Coutts Four”—Chris Carbert, Anthony Olienick, Jerry Morin, and Christopher Lysak—are accused of conspiring to murder an RCMP officer.² They were arrested, along with others, during the Coutts Border Blockade, which was taking place at the same time as the Freedom Convoy in Ottawa. Conspiracy to commit murder is a very serious charge and all Canadians should agree that—if they are guilty—they should receive the full punishment for that crime.

The problem is that these men have been in custody for nearly two years; they’ve never been tried in a court of law, and they have certainly not been convicted of any crime. They’re being held in remand centres³ (generally meant to provide “temporary” confinement for those awaiting trial). If the rule of law were being properly applied, these men would have either been brought to trial (they would have had their “day in court”), or they would have been granted bail (with or without conditions). General understanding of the rights of a non-convicted criminal is “innocent until proven guilty.” These men are being treated as “guilty until proven innocent.” I’m not in a position to make a judgment regarding their guilt or innocence. Although mainstream media at the time of their arrest did their best (or worst) to convict these men in the court of public opinion, the evidence has not yet been presented in a court of law. The defendants have pleaded not guilty but have not had opportunity to testify in court; nor has there been court testimony from RCMP officers or others who may have important information.

One of the problems with any extensive delay in criminal proceedings is that one or more of the individuals involved could die while awaiting trial. That includes the defendants, any witnesses, police officers, etc. Another possibility—even more likely—is that those called to testify may become less sure of the timing and details of events. The nearer to the time of an event the more accurate will be the

memories and testimonies. How long should it take law enforcement and crown prosecutors to prepare a case? If there is damning and conclusive evidence, should it not have been brought forward by now?

The Bible states clearly that judgment and sentencing should never be delayed: *"Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil"* (Ecclesiastes 8:11).

In other words, when punishment for a crime is delayed, it leads to more crime. If these men are guilty, the government should expedite this court case, bring forward their evidence and allow a proper judgment to be made. If these men are innocent (which many people believe them to be), they have suffered needlessly for two years and deserve both an apology and restitution for their lost freedom and lost wages. They've been separated from their families for two years and denied all the pleasures and opportunities the rest of us have enjoyed.

Either way, they deserve to face their accusers in court and to have their defence heard by an unbiased judge and jury. The entire justice system in Canada has suffered a loss of credibility, as these men have been denied appropriate treatment according to the rule of law.

Examples abound of other suspected criminals who have been treated far differently. In 2021, Umar Zameer⁴ was released on bail in September, after being charged with the death of a Toronto police officer in July of that year. In October, 2022, Chard Patrick⁵ allegedly stabbed a man to death, was arrested and charged, but was released on bail the following March. One month prior to the murder, he was arrested for assault and uttering threats. There are many other examples . . . but the point is that these men are being charged for conspiracy to commit a murder that never occurred and have not had opportunity to present their cases. Yes, conspiracy to commit a crime is itself a crime . . . but how long do these men and their families have to wait to have the accusations against them either proved in a court of law or to have their names cleared?

There is no excuse for the delay. The politics of the pandemic and the governments' sensitivity regarding its abuse of power during that time are damaging public confidence in our justice system. CHP calls for the expedited opening of the Coutts Four court case; if the government feels it is still not ready to proceed, the men should be immediately granted bail. CHP Canada⁶ calls on the federal and provincial governments to renew their commitment to the principles of justice and the rule of law.

Footnotes

¹ symbolsage.com/lady-justice-meaning/

² troymedia.com/politicslaw/twenty-months-on-its-time-for-the-coutts-four-to-be-granted-bail/

³ www.alberta.ca/adult-correctional-remand-centres#jumplinks-0

⁴ toronto.ctvnews.ca/man-charged-with-murder-in-death-of-toronto-police-officer-released-on-bail-1.5596056

⁵ toronto.ctvnews.ca/man-accused-of-killing-28-year-old-in-ontario-released-on-bail-1.6315021

⁶ www.chp.ca

The Christian Heritage Party of Canada

www.chp.ca • NationalOffice@chp.ca • 1-888-VOTE-CHP (868-3247)

PO Box 4958, Station E, Ottawa, Ontario K1S 5J1

Authorized by the Official Agent of the Christian Heritage Party of Canada and may be copied.
